



Senate

General Assembly

File No. 67

February Session, 2024

Senate Bill No. 15

Senate, March 21, 2024

The Committee on General Law reported through SEN. MARONEY of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT REQUIRING FEE DISCLOSURES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) For the purposes of this
2 section:

3 (1) "Consumer" means any individual who is (A) a resident of this
4 state, and (B) a prospective recipient of any consumer good or service;

5 (2) "Consumer good or service" (A) means any good or service that is
6 purchased, leased or rented primarily for personal, family or household
7 purposes, and (B) includes, but is not limited to, (i) any event ticket, food
8 or beverage, or the delivery thereof, and (ii) the right to occupy any hotel
9 room, motel room, short-term rental, as defined in section 12-408h of the
10 general statutes, or similar lodging that includes sleeping
11 accommodations;

12 (3) "Digital platform" includes, but is not limited to, (A) any Internet
13 web site, and (B) any software application for any cellular mobile

14 telephone or other mobile electronic device;

15 (4) "Event ticket" means any printed, electronic or other license issued
16 by any primary ticket platform or secondary ticket platform for
17 admission to any event at a date and time specified on such license;

18 (5) "Food delivery platform" means any digital platform that (A) is
19 operated by a third-party delivery service, as defined in section 42-900
20 of the general statutes, and (B) facilitates (i) any consumer's effort to
21 order any food or beverage online, or (ii) any delivery of any food or
22 beverage to any consumer;

23 (6) "Lodging platform" means any (A) short-term rental platform, as
24 defined in section 12-408h of the general statutes, and (B) digital
25 platform that facilitates any consumer's effort to search for and purchase
26 the right to occupy any hotel room, motel room or similar lodging that
27 includes sleeping accommodations;

28 (7) "Person" means any individual, sole proprietorship, partnership,
29 firm, corporation, trust, limited liability company, limited liability
30 partnership, joint stock company, joint venture, association or other
31 legal entity;

32 (8) "Primary ticket platform" means any digital platform that is
33 operated or provided for the purpose of selling, or facilitating sales of,
34 event tickets to consumers; and

35 (9) "Secondary ticket platform" (A) means any digital platform that is
36 operated or provided for the purpose of reselling, or facilitating resales
37 of, event tickets to consumers, and (B) includes, but is not limited to, any
38 primary ticket platform to the extent that such primary ticket platform
39 is engaged in reselling, or facilitating resales of, event tickets to
40 consumers.

41 (b) No person doing business in this state shall advertise, display or
42 offer any price:

43 (1) On any event ticket unless such advertisement, display or offer

44 clearly and conspicuously discloses the total price, including, but not
45 limited to, any mandatory fees or charges other than any applicable
46 taxes imposed by government entities, for such event ticket; or

47 (2) For any consumer good or service on any food delivery platform,
48 lodging platform, primary ticket platform or secondary ticket platform
49 unless such advertisement, display or offer clearly and conspicuously
50 discloses the total price, including, but not limited to, any mandatory
51 fees or charges other than any applicable taxes imposed by government
52 entities, for such consumer good or service.

53 (c) A violation of this section shall be deemed an unfair or deceptive
54 trade practice under subsection (a) of section 42-110b of the general
55 statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	New section

GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Consumer Protection, Dept.	GF - Cost	62,976	83,968
State Comptroller - Fringe Benefits ¹	GF - Cost	25,978	34,637

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill prohibits advertising, displaying, or offering pricing for certain items or services unless the total price is disclosed clearly and makes violations an unfair or deceptive trade practice resulting in a cost to the Department of Consumer Protection (DCP) and the State Comptroller.

To meet the requirements of the bill DCP will need to hire one staff attorney resulting in a cost of \$62,976 in FY 25² and \$83,968 in FY 26, along with corresponding fringe benefits costs of \$25,978 in FY 25 and \$34,637 in FY 26. The additional employee is needed to manage and review the complaints, investigate the cases, and conduct settlement negotiation and case preparation.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to employee wage increases.

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 41.25% of payroll in FY 25.

² FY 25 costs reflect 9 months of salary due to the bill's October 1, 2024 effective date.

OLR Bill Analysis**SB 15*****AN ACT REQUIRING FEE DISCLOSURES.*****SUMMARY**

This bill prohibits individuals or legal entities doing business in Connecticut from advertising, displaying, or offering pricing for certain items or services unless they disclose the total price in a clear and obvious way. This applies to (1) event tickets in any form, whether issued by a primary or secondary (i.e., reselling) ticket platform and (2) consumer goods or services on food delivery platforms, lodging platforms, or primary or secondary ticket platforms. Under the bill, the total price must include all mandatory fees or charges, other than taxes.

A violation of the bill is an unfair or deceptive trade practice (see BACKGROUND).

EFFECTIVE DATE: October 1, 2024

DEFINITIONS

Under the bill, a "consumer good or service" is any good or service that is purchased, leased, or rented primarily for personal, family, or household purposes, specifically including the items covered by this bill (e.g., event tickets). A "consumer" is a state resident and prospective recipient of these goods or services.

A "food delivery platform" is any digital platform, operated by third-party delivery services, that facilitates any consumer's effort to order any food or beverage online or get it delivered.

A "lodging platform" is any short-term rental platform and digital platform that facilitates any consumer's effort to search for and purchase the right to occupy any hotel or motel room or similar lodging.

A “primary ticket platform” is any digital platform that provides or facilitates event ticket sales to consumers. A “secondary ticket platform” is any digital platform that provides or facilitates event ticket resales to consumers, including primary ticket platforms that also provide or facilitate resales.

BACKGROUND

Connecticut Unfair Trade Practices Act (CUTPA)

The law prohibits businesses from engaging in unfair and deceptive acts or practices. CUTPA allows the consumer protection commissioner to issue regulations defining what constitutes an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney’s fees; and impose civil penalties of up to \$5,000 for willful violations and \$25,000 for violation of a restraining order.

Entertainment Ticket Charge Disclosures

Generally, existing law requires anyone advertising entertainment event ticket prices to conspicuously disclose the total price for each ticket and the amount of that price attributable to service charges imposed for the sale of the ticket at the event site.

The law also requires anyone who facilitates ticket sales or resales for an entertainment event to disclose the (1) total ticket price, including all service charges, and (2) portion of the charged ticket attributable to service charges. These disclosures must be displayed in the ticket listing before the ticket is selected for purchase.

Operators who charge an admission price for a place of entertainment must disclose on each ticket face for an event the (1) established ticket price and (2) final ticket price if the operator or his or her agent sells or resells it (CGS § 53-289a).

Related Bills

sSB 3, § 3, favorably reported by the General Law Committee, generally prohibits businesses that offer to sell, lease, or provide consumer goods or services from advertising, displaying, or offering the good or service at a price unless it includes any charges and fees, other than taxes.

sSB 201, § 1, favorably reported by the General Law Committee, prohibits anyone from advertising, displaying, or offering any price in trade or commerce unless the price includes all charges and fees, other than taxes.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 22 Nay 0 (03/07/2024)